

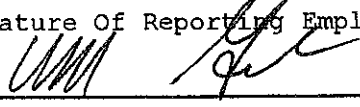
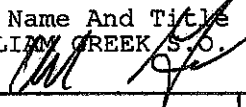
## **Document 3a**

1. Name Of Institution: F.C.I. McKEAN  
 Part I - Incident Report

2. Name Of Inmate Manso-Diaz	3. Register Number 09105-055	4. Date Of Incident 03-07-04	5. Time 4:15PM
6. Place Of Incident HOUSING UNIT AA	7. Assignment Med Unassigned	8. Unit A01-105U	

9. Incident Interfering with taking of count, 321, ~~interfering with staff performance of duties, 390, Refusing and order, 307, Insolence, 312~~

11. Description Of Incident (Date: 03-07-04 time: 4:15PM Staff become aware of incident)  
 On 03-07-04 at approximately 4:15p.m. While taking the 4:00pm stand up count I approached cell 105 which is occupied by inmate Manso. I observed Manso laying in his bunk. I then ordered Manso to get out of his bed and stand for the count. Manso just layed there, why I ordering for the second time to stand up. Inmate Manso stated "This is bullshit." He continued to refuse my orders. At this time, I had to stop the 4:00 p.m. count.

12. Signature Of Reporting Employee 	Date And Time 03-07-04 10:15 PM	13. Name And Title (Printed) WILLIAM CREEK S.O. 
14. Incident Report Delivered To Above Inmate By L Carlson Lt.	15. Date Incident Report Delivered 3-8-04	16. time Incident Report Delivered 7:50 Am

Part II - Committee Action

17. Comments Of Inmate To Committee Regarding Above Incident

"NO, didn't happen."

18. A. It Is The Finding Of The Committee That You:  
☒ Committed The Following Prohibited Act.  
☐ Did Not Commit A Prohibited Act.

B. ☐ The Committee Is Referring The Charge(s) To The DHO For Further Hearing.  
 C. ☒ The Committee Advised The Inmate Of Its Finding And Of The Right To File An Appeal Within 15 Calendar Days.

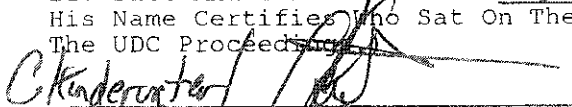
19. Committee Decision Is Based On The Following Information

BASED on the report where it states the inmate was observed laying down and his inability to produce evidence to the contrary

20. Committee action and/or recommendation if referred to DHO (Contingent upon DHO finding inmate committed prohibited act)

6 mos. loss of 2-MAN ROOM ending sept. 04)

21. Date And Time Of Action 3-10-04 @ 0750 (The UDC Chairman's Signature Next To His Name Certifies Who Sat On The UDC And That The Completed Report Accurately Reflects The UDC Proceedings)

  
 Chairman (Typed Name/signature)

  
 Member (Typed Name)

Member (Typed Name)

## Part III - Investigation

22. Date And Time Investigation Began

3-08-04/7:50AM

23. Inmate Advised Of Right To Remain Silent: You Are Advised Of Your Right To Remain Silent At All Stages Of The Disciplinary Process But Are Informed That Your Silence May Be Used To Draw An Adverse Inference Against You At Any Stage Of The Institutional Disciplinary Process. You Are Also Informed That Your Silence Alone May Not Be Used To Support A Finding That You Have Committed A Prohibited Act.

The Inmate Was Advised Of The Above Right By L. Carlson, Lt./At (Date/time) 3-08-04/7:50AM

## 2-. Inmate Statement And Attitude

INMATE MANSO-DIAZ, #09105-055 WAS INTERVIEWED IN THE SHU. OFFICE WHERE HE WAS ADVISED OF HIS RIGHTS AS STATED ABOVE. INMATE MANSO-DIAZ STATED HE UNDERSTOOD HIS RIGHTS AND WAIVED HIS RIGHTS TO REMAIN SILENT AND GAVE THE FOLLOWING STATEMENT: INMATE MANSO-DIAZ STATED THAT IT WAS FALSE, HE NEVER SAID ANYTHING. WHEN SHE KICKED THE DOOR HE GOT UP AND TURNED THE LIGHTS ON.

INMATE MANSO-DIAZ'S ATTITUDE WAS FAIR DURING THIS INTERVIEW.

## 25. Other Facts About The Incident, Statements Of Those Persons Present At Scene, Disposition Of Evidence, Etc.

INMATE MANSO-DIAZ DID NOT REQUEST ANY STAFF OR INMATE AS A WITNESS.

## 26. Investigator's Comments And Conclusions

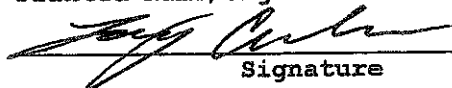
BASED UPON THE DESCRIPTION IN SECTION #11 OF THIS REPORT. I CONCLUDED THAT THIS INCIDENT REPORT IS TRUE AS WRITTEN AND THE CHARGE IS WARRANTED.

## 27. Action Taken

THIS INMATE IS TO REMAIN IN THE SPECIAL HOUSING UNIT AND THIS INCIDENT REPORT HAS BEEN REFERRED TO THE UDC FOR FURTHER DISPOSITION.

Date And Time Investigation Completed 3-08-04/9:00A.M.

Printed Name/signature Of Investigator LARRY CARLSON



Signature

Lieutenant

Title